

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF GEORGIA  
STATESBORO DIVISION

In re: Chapter 12

WENDELL KEITH HOOKS, Case No. 14-60531-EJC Debtor.

OBJECTION TO CONFIRMATION OF  
CHAPTER 12 PLAN

COMES NOW the United States of America, on behalf of its agency, the Risk Management Agency, United States Department of Agriculture (hereinafter referred to as RMA), and objects to confirmation of the Debtor's Chapter 12 Plan. In support, the United States would show the following:

1.

On November 14, 2014, RMA filed an administrative Complaint against the Debtor seeking disqualification of the Debtor from the agricultural programs provided under 7 U.S.C. § 1515(h)(3)(B). The Complaint also seeks a civil fine in the amount of \$11,000.00.

2.

On October 3, 2014, Wendell Keith Hooks filed for bankruptcy relief pursuant to Chapter 12. On December 30, 2014 Hooks filed his Chapter 12 Plan. Hooks did not disclose the pending RMA administrative complaint and the possible fine in his schedules.

3.

On April 1, 2015, RMA timely filed its proof of claim in the amount of \$11,000.00.

4.

RMA objects to confirmation of the proposed Plan, as stated, for the following reasons:

- a. The Plan appears to seek to insure program eligibility and authorization for USDA programs in Sections 8(b), (e), and (f). RMA objects as the Debtor may be disqualified from such eligibility and authorization should RMA prevail on their disqualification Complaint.
- b. Sections 8(b), (e), and (f) of the Plan are not appropriate provisions and should be struck from the Plan. Generally federal lending agencies, in this case the USDA, are in the best position to determine debtor eligibility for loan servicing and authorization to participate in federal programs.
- c. The Plan, as filed, fails to address the possible \$11,000.00 civil fine.

5.

WHEREFORE, the United States respectfully objects to confirmation and requests that confirmation be denied.

Respectfully submitted,  
EDWARD J. TARVER  
UNITED STATES ATTORNEY

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**CERTIFICATE OF SERVICE**

I hereby certify that on April 15, 2015, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will automatically serve a notice of filing upon the following:

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s/Daniel R. Crumby  
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